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July 10, 2015

Re: **Notice of Withdrawal of:**

**Letter Motion for Order Permitting the Deposition of Consenting
Party Barclays to Occur After the July 17 Fact Discovery Cutoff**

NCUA v. Morgan Stanley & Co. et al., No. 13-6705 (S.D.N.Y.)
NCUA v. RBS Securities Inc. et al., No. 11-2340 (D. Kan.)
NCUA v. RBS Securities Inc. et al., No. 11-5887 (C.D. Cal.)
NCUA v. RBS Securities Inc. et al., No. 13-6726 (S.D.N.Y.)

The Honorable Denise L. Cote
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

The Honorable George H. Wu
United States District Court for the
Central District of California
312 North Spring Street
Los Angeles, California 90012-4701

The Honorable John W. Lungstrum
The Honorable James P. O'Hara
United States District Court for the
District of Kansas
500 State Avenue, Suite 517
Kansas City, Kansas 66101

KIRKLAND & ELLIS LLP

Dear Judges Cote, Wu, Lungstrum, and O'Hara:

RBS hereby withdraws its Letter Motion for an Order Permitting the Deposition of Consenting Party Barclays to Occur After the July 17 Fact Discovery Cutoff, which was filed on July 9, 2015. (ECF No. 365.)¹ Wachovia also withdraws its joinder in the motion. (ECF No. 371.) RBS and Barclays were able to reach agreement on a date for the deposition before the July 17, 2015 fact discovery cutoff in the RBS actions. RBS is concurrently serving a notice of deposition on the parties.

Very truly yours,

/s/ R. Alexander Pilmer

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¹ ECF references are to *NCUA v. Morgan Stanley & Co. et al.*, No. 13-6705 (S.D.N.Y.).